

UNITED STATES DISTRICT COURT:
EASTERN DISTRICT OF NEW YORK

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Richard Roe,

Plaintiff,

19-cv-04694

-against-

PKC-RER

AFFIRMATION

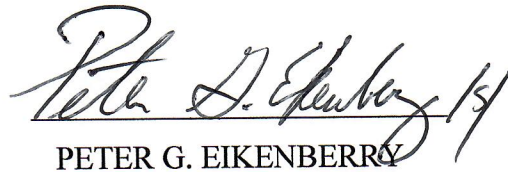
St. John's University and Jane Doe,

Defendants.

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I, PETER G. EIKENBERRY, declare under the penalty of perjury under the laws of the United States that the following is true and correct:

1. I am a member of the bar of this Court (since 1965) and I am attorney for plaintiff Richard Roe in this action.
2. I make this affirmation in opposition to St. John's motion to dismiss Roe's complaint.
3. I have reviewed paragraphs 6 and 12 of Mr. Hurwit's affirmation of May 8, 2020.
4. I traveled with plaintiff Roe to review the investigators' reports (St. John's Exhibits E and K) at St. John's campus in Queens, but we were not permitted to "receive" copies.
5. Neither did Roe nor I ever receive copies of Exhibits C, E, F, I and K until they were served upon me in this action.
6. Neither Roe or I ever saw Exhibit F before it was served upon me.
7. Although, Mr. Hurwit attached Exhibit F to his affirmation, he did not attach the equivalent document for the September 2019 faculty board hearing proceeding against Roe.
8. Roe and I were not permitted to review the exhibits referenced in Exhibits E and K, and they are still unavailable to us.


PETER G. EIKENBERRY

July 28, 2020